

Panaji, 17th October, 2024 (Asvina 25, 1946)

SERIES II No. 29

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 28 dated 10-10-2024 namely, Extraordinary dated 14-10-2024 from pages 599 to 600 regarding Notifications from Department of Finance and Goa State Election Commission.

4. To recommend the draft of Heritage Policy for confirmation of the Government.

This is issued with the approval of the Government vide U.O. No. 05 dated 10-05-2023.

Dr. Nilesh B. Fal Dessai, Director (Archaeology).

Panaji, 27th May, 2024.

GOVERNMENT OF GOA

Department of Archaeology

Order

No. 1(66)/HP/2023-24/Archaeology-86

Government of Goa is pleased to co-opt the following members to a Monitoring Committee for drafting of Heritage Policy for the State of Goa appointed vide order No. 1(66)/HP/2023-2024. Archaeology-561 dated 20-11-2023.

The co-opted members to a Monitoring Committee is as under:

1. Director of Museum, Goa — Member.
2. Representative of Department of Marine Archaeology, National Institute Oceanography, Goa — Member.
3. Representative of Department of Geology, Goa University — Member.
4. Nirmal U. Kulkari, Herpetologist — Member.

Scope of work of Monitoring Committee is as follows:

1. To give inputs for the Heritage Policy.
2. To supervise and scrutinize the draft of Heritage Policy.
3. To evaluate suggestions and objections received from domain experts and general public in respect of the Heritage Policy.

Directorate of Art & Culture

Order

No. DAC/Accts/Comm.TA/2024-25/2970

In exercise of the powers conferred under Clause 10 (h) of the Constitution of Tiatr Academy, Panaji-Goa, Government is pleased to nominate the following Members on General Council of Tiatr Academy, Panaji-Goa with immediate effect.

1. Shri Ives Tavares, r/o H. No. 215/A, Santa Cruz, Ilha De Rachol, Salcete, South Goa.
2. Shri Menino Fernandes @ Menino De Bandar, r/o H. No. 1393/A, Mazilvaddo, Benaulim, Salcete, Goa.
3. Shri William Fernandes, r/o Curchorem, Quepem, South Goa.
4. Shri Antonio Felipe Rodrigues, r/o H. No. 86, Sirvodem, Navelim, South Goa.
5. Shri Joe Rose (Jose Maria Mathias Ignatius Thomas D'Souza), r/o Olaulim, Bardez-Goa.
6. Shri Mario Do Socorro Hilario Rebello, r/o Palolem, Canacona, Goa.
7. Shri Amroj Fernandes, r/o Madhlamaz, Mandrem, Pernem-Goa.
8. Smt. Ana Maria Aplonia Rebello, r/o H. No. 486, Podxiro, Alto, Bogmalho, Goa.

9. Shri Pradeep Anant Naik, r/o H. No. 142, Chaitanya Nagar, Gaundalim, Cumbharjua, Tiswadi-Goa.

10. Shri Premanand Lotlikar, r/o H. No. 142, Chinchmorod, Vanelim, Colva, Salcete-Goa.

By order and in the name of the Governor of Goa.

Sagun R. Velip, Director (Art & Culture) & ex officio Jt. Secretary.

Panaji, 9th October, 2024.

Department of Food and Drugs Administration

Directorate of Food and Drugs Administration

Order

No. 147/DFDA/RTI-INF-ACT/Vol. IV/2024-25/2960

In supersession of earlier order No. 147/DFDA/RTI-INF-ACT/Vol.III/2021-22/4424 dated 29-10-2021 and order No. 147/DFDA/RTI-INF-ACT/Vol-III/2022-23/3482 dated 20-07-2022 in pursuance of Clause 5 of the Right to Information Act, 2005 (hereinafter referred to as "the said Act"), the following officers are hereby appointed for the Directorate of Food & Drugs Administration, as Public Information Officer and Assistant Public Information Officer to deal with the applications received from the public under the said Act.

Sr. No.	Name & designation of the Officers	Roles/Responsibilities
1	2	3
1.	Smt. Swati G. Lad, Assistant Drugs Controller	Public Information Officer All matters related to the Department.
2.	Smt. Kavita Surlakar, Assistant Drugs Controller	Assistant Public Information Officer All matters related to the Department.
3.	Shri Richard Luis Noronha, Designated Officer	Assistant Public Information Officer All matters related to the Department.

The above referred Officers shall exercise and perform the powers/functions laid down under the RTI Act, 2005 with immediate effect.

In the absence of the Public Information Officer, the Assistant Public Information Officer shall

function as the Public Information Officer with respect to the Roles and Responsibilities allotted to them.

Shweta S. Dessai, Director, Directorate of Food & Drugs Administration.

Bambolim, 9th August, 2024.

Department of General Administration

Notification

No. 2/1/2017-GAD-III/3967

In pursuance to sub-section (1) of Section 40A of the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994), the Government of Goa hereby declares Sunday, the 20th October, 2024 (Asvina 28, Saka 1946) as a paid holiday being the 'polling day' for the Bye-Election to Ward No. VII of Village Panchayat Orlim, Taluka Salcete and Ward No. VI of Village Panchayat Morpiria, Taluka Quepem, South Goa District and General Election to Village Panchayat Harvalem, Taluka Bicholim, North Goa District in the State of Goa.

The aforesaid paid holiday shall be in addition to the holidays indicated in the Government Notification No. 37/4/2023-GAD-III/3993 dated 25-10-2023, published in the Official Gazette, Series II No. 31 dated 02-11-2023, to the following workers, provided they are the voters for the aforesaid Bye-Election:-

- (i) Industrial workers of the State of Goa;
- (ii) Daily wage workers of the Government Departments and State Government Industrial Departments;
- (iii) Commercial and industrial workers of private establishments in the State of Goa;
- (iv) Workers of all private establishments;
- (v) Daily wage/casual workers employed in any business, trade, industrial undertakings or any other establishments.

By order and in the name of the Governor of Goa.

Shreyas Dsilva, Under Secretary (GA-I).

Porvorim, 8th October, 2024.

Inspectorate of Factories and Boilers

Order

No. 2/05/(Part-III)/ADM-IFB/23-24/2693

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/1/5/19(1)/2023/205 dated 24-09-2024, Government is pleased to appoint Shri Nandan Shashikant Sawaikar to the post of Inspector of Boilers (Group "B" Gazetted) in the Inspectorate of Factories and Boilers, Altinho, Panaji, Goa on deputation basis in the Level 7 of the Pay Matrix of The CCS (Revised Pay) Rules, 2016 with immediate effect.

The period of deputation shall be initially for a period of 03 years and shall be regulated as per the standard terms of deputation as contained in the O.M. No. 13/4/74-PER dated 20-11-2013 issued by the Department of Personnel and as amended from time to time.

The appointment is made against the vacancy occurred due to retirement on superannuation of the incumbent Shri Rohidas T. Korgaonkar holding the said post.

By order and in the name of the Governor of Goa.

Anant S. Pangam, Chief Inspector of Factories & Boilers and ex officio Joint Secretary.

Panaji, 8th October, 2024.

Order

No. 2/05/(Part-VI)/ADM-IFB/2024-25/2694

Consequent upon retirement on superannuation of Shri Ivan F. Rodrigues, Inspector of Boilers on 29-02-2024, Shri Geetarth Shanu Velip, Craft Instructor (Boiler) shall hold the charge of the post of Inspector of Boilers in addition to his own duties with immediate effect and until further orders.

By order and in the name of the Governor of Goa.

Anant S. Pangam, Chief Inspector of Factories & Boilers and ex officio Joint Secretary.

Panaji, 8th October, 2024.

Department of Labour

Notification

No. 28/02/2024-LAB/Part-VI/623

The following Award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 26-09-2024 in Case No. IT/77/1996 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Labour).

Porvorim, 8th October, 2024.

IN THE INDUSTRIAL TRIBUNAL
AND LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mrs. Vijayalaxmi Shivolkar, Hon'ble
Presiding Officer)

Case No. IT/77/1996

Shri Gurudas Naik,
Rep. by the Goa MRF Employee's Union
Dhavalimol, Kavlem,
Ponda-Goa Workman/Party I.
V/s

M/s. MRF Limited
Tisk, Usgao
Ponda-Goa Employer/Party II.
Workman/Party I represented by Learned. Adv. Ms.
S. Narvekar.

Employer/Party II represented by Adv. Shri S. B. Karpe

AWARD

(Delivered on this the 26th day of the month of
September of the year 2024)

By Order dated 4th December, 1996 bearing No. IRM/Con/PONDA/(102)/1996, the Government of Goa in exercise of powers conferred by Section 10(1)(d) of the Industrial Disputes Act, 1947 (for short 'The Act'), has referred the following dispute to this Tribunal for adjudication.

SCHEDULE

"(1) Whether the action of the management of M/s. MRF Limited, Ponda-Goa, in terminating the services of their workman Shri Gurudas Naik, with effect from 16-08-1996, is legal and justified?"

(2) *If not, to what relief the workman is entitled?"*

2. Upon receipt of the reference, it was registered as IT/77/1996 and registered A/D notices were issued to both the Parties. Pursuant to service of notice, Party I filed his Claim Statement at Exhibit 3.

3. In brief, the case of the Workman/Party I is that the Workman/Party I is employed in the establishment of the Employer/Party II, M/s. MRF Ltd., a Company incorporated under Company Act, 1956 having their factory at Usgao, Ponda-Goa. The Company is engaged in the manufacturing of tyres. Workman/Party I is the member of the Union formed by the Employees of the Employer/Party II. That since the formation of the said Union, there has been harassment and victimization to the office bearers of the Union as well as the members on account of their legitimate trade union activities.

4. The Workman/Party I was issued with the Suspension Letter dated 05-02-1996 followed by a charge-sheet dated 07-02-1996 alleging that according to the Employer, the Workman/Party I has committed acts subversive of discipline constituting misconduct under Clause 21 Item No. V, VII, XXVIII & LII of the Certified Standing Orders of the Company. An inquiry was conducted into these charges. The Inquiry Officer gave his findings holding Party I guilty of the charges. By letter dated 22-07-1996, the copy of the findings was served on the Party I and the Party I was called upon to show-cause why his services should not be terminated. The show-cause notice was replied by Party I vide reply dated 12-08-1996. Being not satisfied with the reply, the services of Party I were then terminated w.e.f. 16-08-1996. The Party I raised industrial dispute for the alleged termination of his services, the conciliation proceedings before the authorities ended in failure. Hence, in the present reference the Party I prays that he be reinstated with continuity of service with full back wages and shall be paid compensation for mental and physical torture.

5. In its Written Statement at Exhibit 4, the Party II has denied that the Party I was being victimized for his union activities. The Party II has stated that on 05-02-1996, the General Manager had received a report that the Party I has beaten a canteen workman at 14.30 p.m. on 1st February, 1996 at the Factory. It was also reported that Dr. B. N. Deshpande gave Mr. Santosh Thakarkar first aid and that the said Thakarkar had lodged a complaint at Ponda Police Station. The Party I was suspended based on the report and complaints and he was charge-sheeted for committing the acts of

misconduct specified in the charge-sheet. The Party II has stated that the Party I had denied the charges vide letter dated 12-02-1996 hence the enquiry was initiated.

6. Mr. Michael Ribeiro was appointed as an Inquiry Officer vide letter dated 24-02-1996. Shri R. S. Amonkar represented the Management. Party I had requested for representation by Shri B. V. Naik. The said request was not in accordance with the Certified Standing Orders, hence the same was rejected. The Party I thereafter requested for representation by one Dulcidonio Fernandes, an executive member of the Management. The said request was granted and the Party I was represented in the enquiry by Dulcidonio Fernandes. The Party II has stated that the Party I had participated in the enquiry. He had understood the charges leveled against him.

7. On completion of the pleadings the issues were framed at Exhibit 5 by this Tribunal which reads as under:

ISSUES

1. Whether the Party I proves that the domestic enquiry held against him is not fair, proper and impartial?
2. Whether the charges of misconduct levelled against the Party I are proved to the satisfaction of the Tribunal by acceptable evidence?
3. Whether the Party I proves that the termination of his services by the Party II is illegal and unjustified?
4. Whether the Party I proves that the termination of his services by the Party II is by way of victimisation and unfair labour practice?
5. Whether the Party I is entitled to any relief?
6. What Award?

8. Issue No. 1 and 2 were treated as preliminary issues and by order dated 09-07-2009; Issue No. 1 was answered in the negative and the Issue No. 2 in the affirmative.

9. The Roznama records reveal that this Tribunal was pleased to pass Order on Issue No. 1 and 2 on 09-07-2009 and consequently the proceedings were fixed for evidence on the remaining issues. The Party I examined their witness Shri Gurudas Naik to prove the issue No. 3 and 4 and closed their evidence on 02-06-2011. The Adv. appearing for Party II, Shri G. K. Sardesai submitted that Party II does not wish to lead any further evidence;

accordingly the matter was fixed for final arguments on all the remaining issues on 07-09-2011. From 07-09-2011 onwards the matter was adjourned time and again for final arguments at the request of both the Parties. That despite, seeking adjournments nearly for about 13 long years, the Advocates appearing for both the Parties failed to advance final arguments and finally on 24-07-2024 this Tribunal was constrained to dismiss the request of both the Parties for time and the matter was fixed for final Award.

10. It is pertinent to note here that only Party I examined their witness Shri Gurudas Naik to adduce evidence in support of Issue No. 3 and 4. I have gone through the records i.e. the pleadings, the oral as well as documentary evidence adduced by both the Parties and considering the same my findings on the remaining 3 issues are as follows:

REASONS

Issue No. 3, 4 and 5:

11. It is a matter of record that my predecessor, the Hon'ble Presiding Officer of this Tribunal has been pleased to pass an Order on preliminary issue No. 1 and 2 holding Issue No. 1 in negative by giving a finding that the Inquiry Officer had conducted the inquiry in consonance with the principles of natural justice, hence the enquiry was held to be fair and proper. By the said Order, i.e. the Order dated 09-07-2009 on the preliminary issues, this Tribunal was pleased to answer the Issue No. 2 in the affirmative while concluding that the Inquiry Officer had analysed the evidence on record in depth and the findings of the Inquiry Officer are based on acceptable evidence.

12. After passing order on the preliminary issues, Party I examined him to adduce further evidence in support of Issue No. 3 and 4. If one peruses the Affidavit-in-Evidence filed by Party I, the facts narrated therein is nothing but the replica of the statement of claim with same facts as alleged in the statement of claim with no new facts on records neither any additional documentary evidence produced to substantiate his claim of victimisation. There is only a suggestive denial put in the cross-examination to Party I by Party II thereby denying all the facts stated in the examination-in-chief by the Workman/Party I.

13. It is a matter of records that the services of the Party I were terminated w.e.f. 16-08-1996 based on the findings given by the Inquiry Officer in the domestic inquiry that was conducted in respect of the charge-sheet dated 07-02-1996, for alleged disorderly indecent behaviour, assault or threat of

assault, intimidation or coercing with the precinct of the Company which conduct on the part of the workman within the precinct of the Company was to endanger the life, or safety of any and committed acts subversive of discipline.

14. In the case in hand, there was a specific allegation against the Party I/Workman that on 01-02-1996 at about 12.10 p.m. when Party I had gone for lunch along with other workers, he approached the Canteen Service Boy Shri Santosh Thakarker and requested him to change the banana for a bigger one. The other workers exchanged the banana but the Party I refused to return the original and grabbed a bigger banana from the counter. The Canteen Service Boy declined to serve curd to the Party I since he was served with two bananas for which reason the Party I threatened the canteen boy by saying he would see him outside. At 4.10 p.m. when the Canteen workman Santosh Thakarker was leaving the Factory, the Party I approached him near the Bus Parking area and told him that Mr. Uday Sail, Union Leader wanted to meet him. While the said Canteen worker was explaining the incident to Uday Sail and others, the Party I punched the said Canteen worker on his nose.

15. The Presiding Officer of this Tribunal has duly considered the evidence on this incident while giving its findings on Issue No. 2 and has come to a conclusion of Party I having proved the incident of assault by Party I by means of acceptable evidence. The Management produced the non-cognizable complaint at Exhibit M-7 based on the complaint filed by Management witness-1. The Inquiry Officer was satisfied with the consistency in the statement made in the complaint as well as in the reply filed before the Inquiry Officer. The statement of MW1 was corroborated with the statement of MW2, Mr. Anthony D'Souza. All this material evidence was duly considered by the Inquiry Officer as well as by the Presiding Officer of this Tribunal while dealing Issue No. 2. The Party I when given opportunity did not produce any further material on record to substantiate his claim of victimisation nor could produce on record any other material to show that his termination from services w.e.f. 16-08-1996 was an act of unfair labour practices and victimisation, as such was illegal and unjustified.

16. Section 11A of the Industrial Disputes Act, 1947 reads as under: **11-A. Powers of Labour Courts, Tribunals and National Tribunals to give appropriate relief in case of discharge or dismissal of workmen. Where an industrial dispute relating to the discharge or dismissal of a workman has been referred to a**

Labour Court, Tribunal or National Tribunal for adjudication and, in the course of the adjudication proceedings, the Labour Court, Tribunal or National Tribunal, as the case may be, is satisfied that the order of discharge or dismissal was not justified, it may, by its award, set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit, or give such, other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require.

17. In the case of **Mahindra and Mahindra V/s N. B. Narawade 2005 I CLR 803** the Court has observed that “*Whether it is open to the Industrial Tribunal or the Labour Court or the High Court to interfere with the quantum of punishment is, no longer, res integra, as the question has been answered by this Court several times in its various decisions in B.C. Chaturvedi Vs. Union of India [1995(6) SCC 749] a three-Judge Bench of this Court held that Section 11-A of the Industrial Disputes Act, 1947 confers power on the Industrial Tribunal/Labour Court to apply its mind on the question of proportion of punishment or penalty that this power is also available to the High Court under Article 226 of the Constitution, though it was qualified with a limitation that while seized as a writ court, interference is permissible only when the punishment/penalty is shockingly disproportionate*”

18. Further, the Hon'ble Apex Court in the citation above was pleased to set aside the order of dismissal and directs the reinstatement passed by Division Bench, Single judge of the High Court and that of the Labour Court and uphold the order of the disciplinary authority dismissing the respondent-workman from service.

19. The relevant observation of the Hon'ble apex court in respect of Section 11-A in this Judgment reads “It is no doubt true that after introduction of Section 11-A in the Industrial Disputes Act, certain amount of discretion is vested with the Labour Court/Industrial Tribunal in interfering with the quantum of punishment awarded by the Management where the concerned workman is found guilty of misconduct. The said area of discretion has been very well defined by the various judgments of this Court referred to hereinabove and it is certainly not unlimited as has been observed by the Division Bench of the High Court. The discretion which can be exercised under Section 11-A is available only on the existence of certain factors like punishment being disproportionate to the gravity of misconduct

so as to disturb the conscience of the court, or the existence of any mitigating circumstances which requires the reduction of the sentence, or the past conduct of the workmen which may persuade the Labour Court to reduce the punishment. In the absence of any such factor existing, the Labour Court cannot by way of sympathy alone exercise the power under Section 11-A of the Act and reduce the punishment.

20. In the case in hand, the evidence on record indicate that Party I had intimidated and assaulted the victim within the premises of the Factory which act amounts to disorderly behaviour within the precinct of the Company being the act of subversive discipline. That as per Clause 21 Item V, VII and XXVIII and LII of the Certified Standing Orders the above acts and conduct by Party I amounts to misconduct and therefore punishable under the Act. It is a matter of record that the findings given by my Predecessor entitled on the Preliminary Issue No. 2 has not been challenged nor the Party I had led additional evidence to discard the said findings.

21. Therefore, considering the overall evidence on record as well as considering the acts of misconduct as defined in the Certified Standing Orders coupled with the ratio laid in the judicial pronouncements as mentioned hereinabove, this Tribunal is of the opinion that the Party I has failed to prove that his termination from service by Party II was an act of victimisation and unfair labour practice and therefore, was illegal and unjustified. As such, Party I is not entitled for any relief as claimed in the Statement of Claim, for the reasons hereinabove the Issue No. 3, 4 and 5 taken together for discussion stands answered in negative.

Hence the Order:

ORDER

- (i) The Order of dismissal by way of punishment of Party I/Workman, Shri Gurudas Naik, Dhavalimol, Kavlem, Ponda-Goa by Party II/M/s. MRF Limited, Tisk, Usgao, Ponda-Goa is hereby held legal and justified.
- (ii) Party I/Workman, Shri Gurudas Naik is not entitled for any relief.
- (iii) No order as to cost.
- (iv) Inform the Government accordingly.

Sd/-
(Vijayalaxmi Shivolkar),
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/02/2024-LAB/Part-IV/620

The following Award passed by the Industrial Tribunal and Labour Court at Panaji-Goa on 18-09-2024 in Ref. No. IT/02/19 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Labour).
Porvorim, 7th October, 2024.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mrs. Vijayalaxmi Shivolkar, Presiding Officer)

Ref. No. IT/02/19

Workmen,
Rep. by the President,
Mapusa Urban Co-op. Bank,
Officers Association, Gurudatt Bldg.,
3rd Floor, Dr. Dada Vaidya Road,
Panaji-Goa (403001). Workmen/Party-I.
V/s

M/s. Mapusa Urban Co-op. Bank of Goa Ltd.,
Reg. Office, "Nandadeep",
Mapusa, Bardez-Goa (403507) Employer/Party II.

Workmen/Party I represented by Shri Subhash Naik Jorge.

Employer/Party II represented by Ld. Adv. S. B. S. Bangui.

AWARD

(Delivered on this the 18th day of the month of September of the year 2024)

By Order dated 09-04-2019, bearing No. 28/25/2018-LAB/267, the Government of Goa in exercise of powers conferred by Section 10(1)(d) of the Industrial Disputes Act, 1947 (for short The Act), (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the existing dispute between the management of M/s. Mapusa Urban Co-operative Bank of Goa, Mapusa-Goa and its Officers represented by Mapusa Urban Co-operative Bank Officers Association, Panaji for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act. The Schedule of reference pertaining to charter of demands is as under:

SCHEDULE

(1) *Whether the action of the management of M/s. Mapusa Urban Co-operative Bank of Goa Limited, Mapusa, Goa in refusing to consider the following demands of the Officers represented by the Mapusa Urban Co-operative Bank Officers Association, Panaji, is legal and justified?*

CHARTER OF DEMANDS

1. *Wage Rise*: The Association demanded that the existing Basic pay Scales of the members shall be revised after merging DA of 4440 points (Base 1960 100) into basic pay and revising the same by 20%. The new Basic Pay Scales arrived at is as follows:

(a) Junior Officer: 16864-1057/2-18978-1316/
/2-21611-1585/2-24782-1845/
/2-28471-2114/4-36927-2373/
/2-41674-2642/3-49602-2902/
/3-58307.

(b) Senior Officer: 21409-1316/3-25358-1585/
/3-30115-1845/3-35649-2114/
/5-46219-2642/2-51504-
-3161/3-60988.

(c) Asst. General Manager: 28020-2114/3-34362-2373/
/3-41482-2642/2-46767-2902/
/2-52571-3161/4-65216-3430/
/3-75507.

(d) General Manager: 29644-2114/2-33872-2373/
/2-38619-2642/4-49188-2902/
/2-54922-3161/4-67638-
-3430/3-77929.

2. *Dearness Allowance*: The Association demanded that with effect from 01-04-2015, DA shall be paid at 100% neutralization above 4440 points (Base 1960-100) (DA from points 2836 to 4440 points has been merged in basic pay).

3. *Stagnation Increments*: The Association demanded that with effect from 01-04-2015, Stagnation Increments shall be paid after every two years.

4. *Special Increment*: The Association demanded that with effect from 01-04-2015, Certified Associate of Indian Institute of Banking Increment shall be paid beyond time scale i.e. Certified Associate of Indian Institute of Banking Increments be continued to be paid even after reaching end of pay scale.

5. *Special/Functional Allowances*: The Association demanded that the Special/Functional Allowances shall be given to the Officers as below:-

- (a) General Manager : Rs. 3,000/- per month.
- (b) Asst. General Manager : Rs. 2,600/- per month.
- (c) Manager/Sr. Manager : Rs. 2,400/- per month.
- (d) Br. Manager Evening/ : Rs. 2,000/- per month
/Ext. Counter/Br.
Manager
- (e) Audit/Recovery/Data : Rs. 1,200/- per month.
Center Officer
- (f) Accountant : Rs. 1,200/- per month.

6. *House Rent Allowance*: The association demanded that with effect from 01-04-2015, 10% of Basic Pay shall be paid as HRA to all members over and above the existing HRA.

7. *Conveyance Allowance*: The Association demanded that with effect from 01-04-2015, Conveyance allowance shall be revised as follows:

- (a) General Manager : Rs. 4,000/- per month.
- (b) Asst. General Manager : Rs. 3,500/- per month.
- (c) Senior Officer : Rs. 2,500/- per month.
- (d) Junior Officer : Rs. 2,000/- per month.

8. *Medical Aid*: The Association demanded that with effect from 01-04-2015, medical aid of Rs. 10,000/- per annum shall be paid to the members.

9. *Daily Allowances*: The Association demanded that with effect from 01-04-2015, daily allowance of Rs. 500/- per day be paid to the members for outdoor duty within the State and in case of official work outside Goa, daily allowance of Rs. 1000/- per day plus actual hotel expenses on production of bills shall be paid to the members.

10. *Leave Fare Concession*: The Association demanded that with effect from 01-04-2015, LFC shall be given once every two years upto a limit of 6000 kms. by air or any other mode of transport. Encashment be permitted to those who wish to on the basis of a simple declaration.

11. *Closing Allowance*: The Association demanded that with effect from 01-4-2015, closing allowance of Rs. 800/- per closing shall be paid.

12. *Golden Jubilee Additional Increment*: The Association demanded that with effect from 01-04-2015, as the bank has completed 50 years of existence, all officers shall be granted one Golden Jubilee Additional Increment which should be extended beyond pay scale.

13. *Leave Accumulation*: The Association demanded that with effect from 01-04-2015, leave accumulation shall be allowed upto 450 days and

encashment of leave be allowed upto 360 days. Leave in excess of 360 days should be availed before retirement. If not granted due to exigencies, the same should be encashed.

14. *Casual Leave*: The Association demanded that with effect from 01-04-2015, casual leave not availed during the year should be credited to unavailed Casual Leave which employees can avail in the subsequent years.

15. *Encashment of Leave*: The Association demanded that with effect from 01-04-2015, encashment of leave be allowed once every two years upto leave of one month. In case of leave beyond accumulation, the same should be automatically encashed.

16. *Maternity/Paternity Leave*: The Association demanded that with effect from 01-04-2015, maternity leave be increased to six months and paternity leave be increased to 15 days on two occasions during service period.

17. *Special Union Leave*: The Association demanded that with effect from 01-04-2015, special union leave be increased to 20 days for union officer bearers and 15 days for executive committee members and 25 days of central committee members of All India Co-operation Bank Employees Federation.

18. *Mediclaim Facilities*: The Association demanded that with effect from 01-04-2015, mediclaim facilities be introduced for the members and their family for an amount of Rs. 5,00,000/-, premium of which shall be paid by the bank.

2. Upon receipt of the reference, it was registered as IT/02/2019 and registered AD notices were issued to both the Parties. Pursuant to service of notices, the Party I/Workmen filed Application for appointment of Liquidator. Which Application came to be allowed vide Order dated 27-04-2022 on Exh.4 and accordingly Mapusa Urban Co-operative Bank of Goa Ltd., Head office, Mapusa, Goa was appointed as a Liquidator to the present dispute. The Party I thereafter filed the Statement of Claim at Exh. 6.

3. In brief it is the case of Workmen/Party I that Party I is the Trade Union of all the Employees employed with Party II and it represents all the Employees of Party II who are Workmen under the ID Act. Party I has signed several Wage Settlements with Party II for improvement of which the wage and service conditions of its member. The last such wage settlement revising the wages and the service conditions between the Parties is for the period with effect from 01-04-2012 to 31-03-2015. That after the expiry of the said Wage Settlement of

31-03-2015 the Party I submitted the Charter of Demand on behalf of its member dated 11-04-2015 seeking improvement of wages and service conditions with effect from 01-04-2015 the detailed Charter of Demand has been reproduced hereinabove. The present reference is on account of failure on the part of Party II to settle the charter of demands and for not revising the wages and service condition of its member. It is further stated the demands raised by Party I are justified as same are paid in all other co-operative banks in Goa. It is further submitted that some employees and officers have been retrenched from the service but the legal dues are not paid in terms of Section 25 (f) of the ID Act in the facts and circumstances it is claimed that the demands raised in the Charter of Demand be granted by deciding the reference in favour of Workmen/ Party I.

4. The Party II filed their Written Statement at Exh. 7. Party II objected the reference by raising the preliminary objections stating:

(a) The demands which have been referred for adjudication by Government of Goa are wholly unrealistic, unreasonable and unjust. There is absolute no merits or substance in the demands raised by the Union on the Bank and therefore the same deserves no consideration and as such are liable to be rejected out right.

(b) The State Govt. before making the reference did not consider the relevant consideration which could cloth it with the power to make the reference under Section 10 of the Act. The whole reference of all the disputes in the Charter of Demands for adjudication was bad.

(c) "that the Officers on whose behalf the dispute is raised by the Officers Association are not "Workmen" as defined under Section 2(S) of the Industrial Dispute, Act, 1947 and as such this Hon'ble Tribunal has no jurisdiction to adjudicate the said dispute and the demands of the Party I are liable to be dismissed.

5. On merits it is the case of Party II that the Bank is Multistate Co-op. Bank and states that it is a society registered under the office of Central Registrar of Co-op Societies, New Delhi governed under Multistate Co-op. Societies Act, 2002. The Party I, employees were informed by the Party II about the order No. DCBRCO.AD/2647/12.22.156/2019-20 dated 16-04-2020. The RBI cancelled the license of bank to carry out the banking business in India under Section 22 read with Section 56 of Banking Regulation Act, 1949.

6. The Party I was also informed that in terms of said order the bank was prevented from carrying on banking business under Section 5(b) of the act and hence banking business activities were stopped. Further, immediately the Deposit, Insurance and Credit Guarantee Corporation of India, a wing of RBI took control of the functioning and ensured that the functioning is done strictly in compliance with their orders.

7. The license cancellation order did not mention any preferential payment to the employees and hence the liquidation is bound by instructions of DICGC-RBI. It is therefore, submitted that Liquidator appointed has no preference to pay any amount other than specified by CICGC.

8. The Party I has submitted that the wage revision demand dates back to 01-04-2012 to 31-03-2015. In this regards the Party II places on record RBI Order dated 16-04-2020 wherein the final position is analyzed. In view of assessed net worth, Gross NPA there is no scope for any improvement of finance. The Party II submits that the bank is not under revival and is under liquidation and as such there is no scope for any wage revision.

The Party II submits that all legal dues including accommodation, sick leave have been paid to each and every employee on pay roll on the day the license was cancelled.

9. With reference to the Claim Statement Party II admitted Para 1, 2, 3 and submitted that due to circumstances beyond their control and also for the reasons that Party II incurred loss for past years since 2015-16 to 2021-22, they could not settle the Charter of Demand. It is further stated that the request for the Retrenchment Compensation made by Party I before the Labour Commissioner was dismissed by reasoned Order hence the present reference cannot be considered favorably and same be dismissed.

10. Considering the Claim Statement of Party I and the Written Statement filed by the Party II following issues were framed on 12-01-2024.

ISSUES

1. Whether the Party I proves that the Charter of Demands raised by them against the Party II are legal and justified?
2. Whether the Party II proves that the reference made by the Government is not maintainable as contended by the Party II in Para 1 (a) to (c) of its written statement?

3. What relief? What Award?

12. As the matter was fixed for the evidence of Party I at which time Party I/Workmen filed Application at Exh. 10 for violation of provisions of Section 33 of the Industrial Disputes Act, 1947 and for rendering the present reference infructuous. In this Application Party I stated that during the pendency of present reference, Party No. II has terminated by way of retrenchment all employees as per provisions of Section 25 F read with Section 25 FFF of Industrial Disputes Act, 1947, on the plea that their establishment is being closed.

13. However, at the time of termination no one month's notice pay and retrenchment compensation as per provisions of Section 25 F read with Section 25 FFF of Industrial Disputes Act, 1947, was paid.

14. In view of that it is submitted by Party I that order be passed holding Party No. II of violating the provisions of Section 33 of Industrial Dispute Act by retrenching the services of all employees while reference was pending before this Hon'ble Tribunal thus rendering the present reference Infructuous.

15. In the reply filed by Party II opposing the Application at Exh. 10 of Party I it is stated that at the outset the Party II states and submits that the present reference is on Charter of Demands of the Union made in the year 2015. That the action of the Party II in closing down the Bank and terminating the services of all the workmen is not for misconduct to attract provisions of Section 33 of the said Act.

16. The Party II submits that the Reserve Bank of India, Mumbai (RBI) vide its order No. DCBRCO.AD/2647/12.22156/2019-20 dated 16-04-2020 had cancelled/revoked the banking license granted to the Party II for conducting the activity of Banking under Section 22 reads with Section 56 of the Banking Regulation Act, 1949, therefore Deposit Insurance Credit, Guarantee Corporation of India, (DICGCI), a wing of RBI took control of the functioning of the Party II Bank and ensured that the functioning is done statutory in compliance with the said order of the RBI. A liquidator was appointed by the Central Registrar of Co-operative Societies, New Delhi, to monitor the liquidation process. The said liquidator had no powers to pay any amount other than that specified by the DICGCI.

17. The Party II states that in view of the order of the RBI, the liquidator took steps to close the branches at different places in Goa in phased manner. On account of the closure of the branches, the Party II had to discharge such employees in the

branches in phased manner. The Party II submits that under the restrictions imposed by the RBI and DICGCI, the Party II was allowed to pay the Gratuity, Privilege leave encashment of the Employees and salary till the date of closure.

18. The Party II submits that since the License of the Party II to conduct the activity of the Banking was cancelled by the RBI, the Party II had no alternative then to discharge the workmen from time to time in phased manner within the scope of the limited powers of the liquidator. The Party II submits that the provisions of Section 25 F for payment of Retrenchment Compensation is not a condition precedent to close the branches of the Party II and non-payment of the same would not render the action of closure illegal as the closure has been admitted by the Party I.

19. The Party II submits that if the Party I feels that the Party II has contravened Section 33 of the said Act during the pendency of the present reference, the remedy to the Party I is to raise a separate dispute and get the same adjudicated and accordingly pray that Application at Exh. 10 be dismissed.

20. Heard Arguments advanced by Shri Subhash Naik Jorge and heard Argument advanced by Adv. S.B.S. Bangui. Sub-clause (b), Clause 1 of Section 33 of the Industrial Dispute Act prohibits an Employer from discharging or punishing any workmen concerned in such dispute for any misconduct connected with the said dispute by dismissal or otherwise, save with express permission in writing of the authority before which the procedure is pending. However, Clause 2 of Section 33 during the pendency of any such proceeding in respect to industrial dispute the employer in accordance with the standing order applicable to the workmen in concern dispute (or where are no standing order in accordance with the terms of the contract whether express or implied between him and the workmen may (a) alter in regards to any matter not connected with the dispute the condition of service applicable that workmen immediately before the commencement of such proceedings or (b) for any misconduct not connected with the dispute, discharge or punish, whether by dismissal or otherwise that workmen.

21. It is therefore the contention of Party II that if the Party I is aggrieved of Party II having violated the provisions of Section 33 of the ID Act than the remedy to the Party I is to raise a separate dispute. Therefore the contention of Party II that by way of retrenchment the Party II had terminated Employees as per the provisions of Section 25 (f) read with

Section 25 FFF does not hold good as the establishment of Party II had to be closed down on account of Order of the RBI and that the Party II was left with no other alternative but to discharge its employees from time to time in a phased manner which fact since has been admitted by Party II.

The party I/Workmen have not disputed the above position.

Hence the following Order:

ORDER

- (i) The Application filed by the Party I/Workmen at Exh. 10 stands dismissed consequently the present reference stands dismissed being infructuous.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-

(Vijayalaxmi Shivolkar),
Presiding Officer,
Industrial Tribunal and
Labour Court.

Department of Law & Judiciary
Law (Establishment) Division

Order

No. 2-1-97-/LD-(Estt-Part-I)/2043

On the recommendation of the Hon'ble High Court of Bombay at Mumbai, vide Confidential letter No. A.5504/G/2024/41 dated 19-09-2024 and as per Rule 4 of Chapter-III of the Goa Judicial Service Rules, 2013, the Governor of Goa is pleased to appoint the following 02 Judicial Officers to the post of Ad-hoc District Judge under Fast Track Courts Scheme in the State of Goa in Selection Process 2024 with immediate effect:-

Sr. No.	Name of the Judicial Officer
1.	Ms. Shilpa Shashikant Pandit.
2.	Ms. Reina Sheila Fernandes.

By order and in the name of the Governor of Goa.

Amir Y. Parab, Under Secretary (Law-Estt.).

Porvorim, 11th October, 2024.

Order

No. 2-1-97/LD-Estt-Part-I/2044

On the recommendation of the Hon'ble High Court of Bombay, at Mumbai vide Confidential letter No. A. 5504/G/2024/40 dated 19-09-2024 and as per Rule 4 of Chapter III of the Goa Judicial Service Rules, 2013, the Governor of Goa is pleased to promote Ms. Shaikh Shabnam, Judicial Officer to the post of District Judge by regular promotion in the State of Goa with immediate effect.

By order and in the name of the Governor of Goa.

Amir Y. Parab, Under Secretary (Law-Estt.).

Porvorim, 11th October, 2024.

Notification

No. 8/145/2024-LD(Estt.)/2039

Read: Notification No. 8/145/2024-LD(Estt.)/1878 dated 20-09-2024.

In exercise of the powers conferred by sub-rule (2) of Rule 7A of the Notaries Rules, 1956 (hereinafter referred to as the "said Rules"), the Government of Goa hereby constitutes the Interview Board comprising of the following members, for the purpose of sub-rule (1) of said Rule 7A of the said Rules:-

- i) Shri Dnyaneshwar S. Raut Dessai, — Chairman.
Joint Secretary, Law
- ii) Ms. Shubhangi Humraskar, — Member.
Joint Secretary, Law
- iii) Shri Sudhir R. Volvoikar, — Member.
Joint Secretary, Law

This issues in supersession of earlier Notification No. 8/145/2024-LD(Estt.)/1878 dated 20-09-2024.

By order and in the name of the Governor of Goa.

Amir Y. Parab, Under Secretary (Law-Estt.).

Porvorim, 11th October, 2024.

Department of Panchayati Raj and
Community Development
Directorate of Panchayats

Order

No. 19/DP/Elect/VP Harvalem/Presiding Officer/2024/
8774

In exercise of power conferred by sub-section (2) of Section 46 of the Goa Panchayat Raj Act, 1994

(Goa Act 14 of 1994), the Government of Goa hereby specifies the officers mentioned in column No. (2) of the Schedule hereto as the officer who shall preside over the first meeting of the Panchayat mentioned in the corresponding entry in column No. (3) of the said Schedule to be held on 28-10-2024 at 10.30 a.m. onwards to elect the Sarpanch and Deputy Sarpanch of the Panchayat.

SCHEDULE

Name of Taluka/Block:— Bicholim

Name of District:— North Goa

Sr. No.	Name and designation of Presiding Officer	Name of Village Panchayat
1	2	3
1.	Shri Navnath Amre, E.O. (R.E.), O/o B.D.O., Bicholim-Goa	Harvalem.
2.	Shri Salil Verenkar, E.O. (R.E.), O/o B.D.O., Bicholim-Goa (Reserve)	

In the absence of any of the above Presiding Officer, the Block Development Officer, Bicholim is hereby authorized to conduct election.

This issues with the approval of the Government.

By order and in the name of the Governor of Goa.

Siddhi Halarnkar, Director (Panchayats) & ex officio Jt. Secretary.

Panaji, 8th October, 2024.

Notification

No. 19/DP/Reservation/2024/8773

In accordance with the rotation pattern adopted upon approval from the Government and in exercise of the powers conferred by Clause (c) of Section 45 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), the reservation of the Office of the Sarpanch and Dy. Sarpanch of Village Panchayat Harvalem for the term 2024-2029 shall be as per the Schedule below:-

SCHEDULE

Village Panchayat Harvalem	Post	
	Sarpanch	Dy. Sarpanch
	Reserved for Women	Unreserved

By order and in the name of the Governor of Goa.

Siddhi Halarnkar, Director (Panchayats) & ex officio Jt. Secretary.

Panaji, 8th October, 2024.

Department of Personnel

Order

No. 13/10/2023-PER/3439

Whereas, Government vide Order No. 13/10/2023-PER/923 dated 15-03-2024 had granted further extension in service to Shri Pramod Badami, Chief Engineer (WR), Water Resources Department, beyond the date of his superannuation for further period of six months w.e.f. 01-06-2024 to 30-11-2024, in public interest;

And whereas, the Vigilance Department has submitted vigilance clearance stating that, no disciplinary proceedings/vigilance cases are pending or being contemplated against Shri Pramod Badami;

And whereas, the Finance Department vide its U. O. No. 1400096331 dated 14-09-2024, concurred the proposal for grant of further extension in service to Shri Pramod Badami, Chief Engineer (WR), Water Resources Department;

And whereas, the Council of Ministers in its LVIIth meeting held on 30-09-2024 resolved to grant

ex-post facto approval for further extension in service to Shri Pramod Badami, Chief Engineer (WR), Water Resources Department beyond the date of his superannuation for further period of six months w.e.f. 01-06-2024 upto 30-11-2024, in public interest;

Now, therefore, the Government is pleased to confirm the Order No. 13/10/2023-PER/923 dated 15-03-2024 granting extension in service to Shri Pramod Badami, Chief Engineer (WR), Water Resources Department beyond the date of his superannuation for further period of six months w.e.f. 01-06-2024 to 30-11-2024, in public interest.

By order and in the name of the Governor of Goa.

Raghuraj A. Faldesai, Under Secretary (Personnel-II).
Porvorim, 7th October, 2024.

Order

No. 13/28/2023-PER/3447

Whereas, Government vide Order No. 13/28/2023-PER/5168 dated 30-12-2023 had granted extension in service to Shri Euclides F. E. de Souza, Executive Engineer, Public Works Department beyond the date of his superannuation for a period of one year w.e.f. 01-01-2024 to 31-12-2024, in public interest;

And whereas, the Vigilance Department has conveyed vigilance clearance stating that, no disciplinary proceedings/vigilance cases are pending or being contemplated against Shri Euclides F. E. de Souza;

And whereas, the Finance Department vide its U. O. No. 1400100946 dated 11-08-2024, concurred the proposal for grant of extension in service to Shri Euclides F. E. de Souza, Executive Engineer, Public Works Department;

And whereas, the Council of Ministers in its LVith meeting held on 30-09-2024 resolved to grant ex-post facto approval for extension in service to Shri Euclides F. E. de Souza, Executive Engineer, Public Works Department beyond the date of his superannuation for a period of one year w.e.f. 01-01-2024 upto 31-12-2024, in public interest;

Now, therefore, the Government is pleased to confirm the Order No. 13/28/2023-PER/5168 dated 30-12-2023 granting extension in service to Shri Euclides F. E. de Souza, Executive Engineer, Public

Works Department beyond the date of his superannuation for a period of one year w.e.f. 01-01-2024 to 31-12-2024, in public interest.

By order and in the name of the Governor of Goa.

Raghuraj A. Faldesai, Under Secretary (Personnel-II).
Porvorim, 8th October, 2024.

Order

No. 13/05/2024-PER/3456

Whereas, Government vide Order No. 13/05/2024-PER/2771 dated 30-07-2024 had granted extension in service to Shri Pandurang M. S. Nadkarni, Executive Engineer, Works Division XXVII, Public Works Department beyond the date of his superannuation for a period of one year w.e.f. 01-08-2024 to 31-07-2025, in public interest;

And whereas, the Vigilance Department has conveyed vigilance clearance stating that, no disciplinary proceedings/vigilance cases are pending or being contemplated against Shri Pandurang M. S. Nadkarni;

And whereas, the Finance Department vide its U. O. No. 1400101422 dated 22-08-2024, concurred the proposal for grant of extension in service to Shri Pandurang M. S. Nadkarni, Executive Engineer, Works Division XXVII, Public Works Department;

And whereas, the Council of Ministers in its LVith meeting held on 30-09-2024 resolved to grant ex-post facto approval for extension in service to Shri Pandurang M. S. Nadkarni, Executive Engineer, Works Division XXVII, Public Works Department beyond the date of his superannuation for a period of one year w.e.f. 01-08-2024 upto 31-07-2025, in public interest;

Now, therefore, the Government is pleased to confirm the Order No. 13/05/2024-PER/2771 dated 30-07-2024 granting extension in service to Shri Pandurang M. S. Nadkarni, Executive Engineer, Works Division XXVII, Public Works Department beyond the date of his superannuation for a period of one year w.e.f. 01-08-2024 to 31-07-2025, in public interest.

By order and in the name of the Governor of Goa.

Raghuraj A. Faldesai, Under Secretary (Personnel-II).
Porvorim, 8th October, 2024.

Order

No. 24/2/2016-PER/3352

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/11/58(1)/2017/197 dated 20-09-2024, the Governor of Goa is pleased to promote Shri Sudhir R. Volvoikar, Under Secretary (Legislative Affairs) to the post of Joint Secretary (Law) in the Law Department (Legal Affairs), on regular basis in the Level 11 of Pay Matrix with immediate effect.

The Officer shall exercise the option for fixation of pay within one month from the date of this Order in terms of F.R. 22(I)(a)(1).

The pay of the Officer on promotion shall be fixed as per C.C.S. (RP) Rules, 2016.

By order and in the name of the Governor of Goa.

Raghuraj A. Faldesai, Under Secretary (Personnel-II).
Porvorim, 26th September, 2024.

Order

No. 13/06/2024-PER/3486

Whereas, Government vide Order No. 13/06/2024-PER/3043 dated 26-08-2024 had granted extension in service to Shri Liladhar B. Dessai, Deputy Director, Directorate of Planning, Statistics & Evaluation, Porvorim beyond the date of his superannuation for a period of one year w.e.f. 01-09-2024 to 31-08-2025, in public interest;

And whereas, the Vigilance Department has conveyed vigilance clearance stating that, no disciplinary proceedings/vigilance cases are pending or being contemplated against Shri Liladhar B. Dessai;

And whereas, the Finance Department vide its U. O. No. 1400101927 dated 12-09-2024, concurred the proposal for grant of extension in service to Shri Liladhar B. Dessai, Deputy Director, Directorate of Planning, Statistics & Evaluation, Porvorim;

And whereas, the Council of Ministers in its LVith meeting held on 30-09-2024 resolved to grant ex-post facto approval for extension in service to Shri Liladhar B. Dessai, Deputy Director, Directorate of Planning, Statistics & Evaluation, Porvorim beyond the date of his superannuation for a period of one year w.e.f. 01-09-2024 upto 31-08-2025, in public interest;

Now, therefore, the Government is pleased to confirm the Order No. 13/06/2024-PER/3043 dated

26-08-2024 granting extension in service to Shri Liladhar B. Dessai, Deputy Director, Directorate of Planning, Statistics & Evaluation, Porvorim beyond the date of his superannuation for a period of one year w.e.f. 01-09-2024 to 31-08-2025, in public interest.

By order and in the name of the Governor of Goa.

Raghuraj A. Faldesai, Under Secretary (Personnel-II).
Porvorim, 10th October, 2024.

Order

No. 7/3/2023-PER/3406

Read: Order dated 31-10-2013 of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 82 of 2011 (under Article 32 of the Constitution of India) between T.S.R. Subramanian & others and Union of India & others.

1. The Hon'ble Supreme Court of India vide Order dated 31-10-2013 in the Writ Petition (Civil) No. 82 of 2011 (under Article 32 of the Constitution of India) filed by Thiru T.S.R. Subramanian & others Vs. Union of India & others has directed inter-alia, to constitute Civil Services Board in Centre, States and the Union Territories with high ranking serving officers, who are specialists in their respective fields, within a period of three months, till the Parliament brings in a proper legislation in setting up Civil Services Board, in order to ensure transparency in Administration.

2. In pursuance of the said directions of the Hon'ble Supreme Court of India read with Office Memorandum No. F.No.14040/22/2013-UTS-I dated 31-12-2013 of the Government of India, Ministry of Home Affairs, New Delhi, the Governor of Goa is pleased to constitute the Civil Services Board in respect of the IPS officers with immediate effect, in the following manner:-

1. Constitution of Civil Services Board, Goa, for IPS officers.

The composition of Civil Services Board, Goa shall be as follows:

1. Chief Secretary — Chairman.
2. Principal Secretary (Finance) — Member.
or senior-most Principal Secretary
3. Principal Secretary or — Member.
Secretary, Home

4. Director General of Police — Member Secretary.

(i) Functions:

The Civil Services Board shall make recommendations to the Government on the following service matters:-

- (a) Posting/allocation of subject in respect of IPS Officers posted in this Segment.
- (b) Transfers and postings of IPS Officers posted in this Segment.
- (c) While making recommendations, the requirement of a minimum tenure of service as prescribed by the Government shall be kept in view by the Board.
- (d) The Civil Services Board may consider transfer of Officers before the tenure fixed by the Government based on the necessity and circumstances, which the Civil Services Board shall satisfy itself.
- (e) The Civil Services Board may recommend the names of Officers to the Competent Authority for transfer before completion of minimum tenure with reasons to be recorded in writing.

(ii) Procedure:

(a) The proposals for transfer and postings of IPS officers shall be referred to the Board by the Personnel Department.

(b) The Civil Services Board shall:-

- (i) Consider the report of Department along with any other inputs it may have from other reliable sources.
- (ii) The Board may have the option to obtain the comments or views of the officer proposed to be transferred regarding the circumstance presented to it in justification of the proposal.
- (iii) The Board shall satisfy itself regarding the inevitability of the premature transfer before making a recommendation to the Government based on clear findings.

(c) The Competent Authority may over-rule the recommendations of the Civil Services Board, by recording reasons in writing.

(iii) Tenure of posting:

There shall be a minimum tenure of two years for IPS officers in the allotted posting. However, in the event of any premature transfer due to unavoidable administrative reasons or health grounds, such

proposal shall be referred to the Civil Service Board and a reasoned decision would be arrived at.

This supersedes all orders/notifications issued in this regard in the past.

By order and in the name of the Governor of Goa.

Raghuraj A. Faldesai, Under Secretary (Personnel-II).
Porvorim, 3rd October, 2024.

Order

No. 13/07/2023-PER (Part)/3512

Whereas, Government vide Order No. 13/07/2023-PER (Part)/875 dated 13-03-2024 had granted further extension in service to Shri Anil Naik, Block Development Officer in the Directorate of Panchayats, beyond the date of his superannuation for further period of one year w.e.f. 01-05-2024 to 30-04-2025, in public interest;

And whereas, the Vigilance Department has conveyed vigilance clearance stating that, no disciplinary proceedings/vigilance cases are pending or being contemplated against Shri Anil Naik;

And whereas, the Finance Department vide its U. O. No. 1400101304 dated 27-08-2024, concurred the proposal for grant of further extension in service to Shri Anil Naik, Block Development Officer in the Directorate of Panchayats;

And whereas, the Council of Ministers in its LVIIth meeting held on 30-09-2024 resolved to grant ex-post facto approval for further extension in service to Shri Anil Naik, Block Development Officer in the Directorate of Panchayats beyond the date of his superannuation for further period of one year w.e.f. 01-05-2024 upto 30-04-2025, in public interest;

Now, therefore, the Government is pleased to confirm the Order No. 13/07/2023-PER(Part)/875 dated 13-03-2024 granting extension in service to Shri Anil Naik, Block Development Officer in the Directorate of Panchayats beyond the date of his superannuation for further period of one year w.e.f. 01-05-2024 to 30-04-2025, in public interest.

By order and in the name of the Governor of Goa.

Raghuraj A. Faldesai, Under Secretary (Personnel-II).
Porvorim, 11th October, 2024

Order

No. 22/10/2018-PER/3440

The Governor of Goa is pleased to order the transfer and posting of the following IPS Officers with immediate effect:-

Sr. No.	Name of the Officer	Present posting	Posted as
1	2	3	4
1.	Ms. Arshi Aadil, IPS (AGMUT: 2019)	SDPO, Ponda	Superintendent of Police (EOC) and shall hold the additional charge of Superintendent of Police (FRRO).
2.	Shri Tikam Singh Verma, IPS (AGMUT: 2020)	SDPO, Canacona	Superintendent of Police (ANC).

By order and in the name of the Governor of Goa.

Raghuraj A. Faldesai, Under Secretary (Personnel-II).

Porvorim, 7th October, 2024.

Order

No. 22/10/2018-PER/3441

The Governor of Goa is pleased to order the transfer and posting of the following Senior Scale Officers (Superintendent of Police) of Goa Police Service with immediate effect:-

Sr. No.	Name of the Officer and present posting	Posted as
1	2	3
01.	Shri Gurudas Gawade, Superintendent of Police (Konkan Railway)	Superintendent of Police (Legal & Vigilance).
02.	Shri Nelson Albuquerque, Superintendent of Police (HQ) and holding additional charge of Superintendent of Police (ACB)	Commandant, IRBn, and shall hold the additional charge of Superintendent of Police (HQ).
03.	Shri Dharmesh G. P. Angle, Superintendent of Police (Special Branch)	Principal, Police Training School, Valpoi.
04.	Shri Prabodh B. Shirwaiker, awaiting posting	Superintendent of Police (Traffic).
05.	Shri Harishchandra V. Madkaikar, awaiting posting	Superintendent of Police (Konkan Railway).
06.	Shri Santosh S. Desai, awaiting posting	Superintendent of Police (ACB) and shall hold the additional charge of Superintendent of Police (Special Branch).

By order and in the name of the Governor of Goa.

Raghuraj A. Faldesai, Under Secretary (Personnel-II).

Porvorim, 7th October, 2024.

◆◆◆

Department of Public Health

Order

No. 8/1/2003-III/PHD/3037

Government is pleased to accept the notice of voluntary retirement dated 21-08-2024 tendered by Dr. Shilpa Waikar, Associate Professor and holding the charge of Professor & HOD in Institute of Psychiatry

and Human Behaviour, Bambolim under Rule 48-A of CCS (Pension) Rules, 1972 and relieve her from the post of Associate Professor and the charge of Professor & HOD (Actg.) in Psychiatry under Institute of Psychiatry and Human Behaviour, Bambolim w.e.f. 04-11-2024 (a.n.).

By order and in the name of the Governor of Goa.

Gautami Parmekar, Under Secretary (Health-I).

Porvorim, 4th October, 2024.

Order

No. 4/9/2016-II/PHD/Part/3045

Read: Memorandum No. 4/9/2016-II/PHD/Part/1653 dated 25-07-2024.

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/I/5/30(43)/2023/104 dated 21-06-2024, Government is pleased to appoint Miss Pamela Virgil DSilva to the post of Lecturer in Physiotherapy (Group "A" Gazetted) in Allied Health Science Courses in Goa Medical College & Hospital, Bambolim-Goa in Level-10 of Pay Matrix [Pay Band-3 Rs. 15,600-39,100+G.P. Rs. 5,400/- (pre-revised)] with immediate effect and as per the terms and conditions contained in the Memorandum cited above.

Miss Pamela Virgil DSilva shall be on probation for a period of two years.

Miss Pamela Virgil DSilva has been medically examined by the Medical Board and her character and antecedents have been verified by the Magisterial Section, O/o. the Collector & District Magistrate, South Goa District, Margao-Goa.

The appointment is made subject to verification of her Bachelor's Degree Certificate. In the event of any adverse remarks noticed by the Government on verification of her Bachelor's Degree Certificate, her services shall be terminated.

The appointment is made against the vacancy occurred vide Order No. 4/1/2018-II/PHD/1194 dated 22-08-2019 and due to promotion of Ms. Alisha Gracias, Lecturer in Physiotherapy to the post of Assistant Professor in Physiotherapy, Allied Health Science Courses in Goa Medical College & Hospital, Bambolim-Goa, vide Order No. 4/13/2022-II/PHD/796 dated 19-05-2023.

By order and in the name of the Governor of Goa.

Gautami S. Parmekar, Under Secretary (Health-I).

Porvorim, 7th October, 2024.

Department of Revenue

Notification

No. 28/4/5/2024/RD-I/1050

In exercise of the powers conferred by Clause (a) of Section 35 of the Goa Land Revenue Code, 1968 (Goa Act No. 9 of 1969) (hereinafter referred to as the "said Code"), the Government of Goa, being of the opinion that it is necessary in the public interest for the purpose of carrying out the objects of the said Code, hereby exempts the land admeasuring an area of 700 sq. mts., surveyed under Survey No. 34/1 of Goa Velha Village of Tiswadi Taluka, District North Goa, State of Goa, from the payment of fees amounting to Rs. 2,52,000/- (Rupees Two lakh fifty-two thousand only) payable under Clause (ii) of sub-section (6) of Section 32, and penalty amounting to Rs. 5,18,400/- (Rupees Five lakhs, eighteen thousand and four hundred only) payable under Section 33, of the said Code subject to the condition that the said land shall be used exclusively for the purpose of construction of a school/educational institution.

This Notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Vrushika Kauthankar, Under Secretary (Revenue-I).

Porvorim, 9th October, 2024.

Notification

No. 28/4/6/2024/RD-I/1042

In exercise of the powers conferred by Clause (a) of Section 35 of the Goa Land Revenue Code, 1968 (Goa Act No. 9 of 1969), (hereinafter referred to as the "said Code"), the Government of Goa, being of the opinion that it is necessary in the public interest for the purpose of carrying out the objects of the said Code, hereby exempts the land admeasuring an area of 10,000 sq. mts., surveyed under Survey No. 125/1-B of Betora Village of Ponda Taluka, District South Goa, State of Goa, from the payment of fees amounting to Rs. 36,00,000/- (Rupees Thirty-six lakhs only) payable under Clause (ii) of sub-section (6) of Section 32, and penalty amounting to Rs. 21,09,600/- (Rupees Twenty-one lakhs, nine thousand and six hundred only) payable under Section 33, of the said Code subject to the condition that the said land shall be used exclusively for the purpose of construction of a school/educational institution.

This Notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Vrushika Kauthankar, Under Secretary (Revenue-I).
Porvorim, 10th October, 2024.

Notification

No. 28/4/2024/RD-I/1024

In exercise of the powers conferred by the second proviso of Clause (ii) of sub-section (6) of Section 32 of the Goa Land Revenue Code, 1968 (Goa Act No. 9 of 1969), the Government of Goa hereby exempts the Society of the Franciscan (Hospittaler) Sisters of the Immaculate Conception, Devine Providence Convento, Cana Benaulim, Salcete, Goa, a society

registered under the Societies Registration Act, 1860 (Act No. 21 of 1860) before the office of Inspector General Societies, Panaji under No. 370 dated 03-10-1972, from the payment of fees amounting to Rs. 6,84,000/- (Rupees Six lakhs and eighty-four thousand only) payable under the said Code, for conversion of land admeasuring an area of 4,560 sq. mts., surveyed under Survey No. 1, sub-division No. 1-E of Cana Village of Salcete Taluka, District South Goa, State of Goa, subject to the condition that the said land shall be used exclusively for the purpose of construction of Hospital Building.

By order and in the name of the Governor of Goa.

Vrushika Kauthankar, Under Secretary (Revenue-I).
Porvorim, 8th October, 2024.



The Mhapsa Consumers' Co-operative Society Ltd.
"Mapusa Bazaar", Shop No. 250, Mapusa Municipal Market, Mapusa-Goa

FORM-24

(See Rule 111A)

Form for declaration of result

In pursuance of powers conferred by sub-section 6 of Section 66 of the Goa Co-op. Societies Act, 2001, I, declare the result of office bearers as follows.

Election of Office Bearer of "The Mhapsa Consumer's Co-operative Society Ltd., Mhapsa Municipal Market, Shop No. 127, Mhapsa, Bardez-Goa".

Sr. No.	Name of the candidate	Designation	Address, contact number and e-mail ID of the candidate
1	2	3	4
1.	Dhaujekar Shivanand Ramchandra	Chairman	242-2, Angod, Bardez-Goa 9822980422
2.	Azgaonkar Bhiku Krishna	Vice-Chairman	H. No. E-88-16, Khorlim, Mapusa, Bardez-Goa 9637895038

Tanshu R. Mayekar, Authorized person & Jr. Auditor/Inspector, O/o. Asst. Registrar of Co-op. Societies, North Zone.

Mapusa, 7th October, 2024.

V. No. AP-894/2024.

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